

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 83, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 state offices and administration.
- 4 Delete everything after the enacting clause and insert the
- 5 following:
- 6 SECTION 1. IC 4-12-13 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2007]:
- 9 **Chapter 13. Review of Certain Contracts for Services**
- 10 **Sec. 1. As used in this chapter, "state agency" has the meaning**
- 11 **set forth in IC 4-13-1-1(b).**
- 12 **Sec. 2. (a) This section applies only to a contract or agreement:**
- 13 **(1) that is first entered into by:**
- 14 **(A) a state agency; and**
- 15 **(B) a private contractor or private vendor;**
- 16 **after June 30, 2007;**
- 17 **(2) in which the initial term of the contract or agreement plus**
- 18 **the term of any possible renewal or extension periods is at**
- 19 **least four (4) years;**
- 20 **(3) under which the amount to be paid by the state agency**
- 21 **during the initial term of the contract or agreement plus the**
- 22 **term of any possible renewal or extension periods:**
- 23 **(A) is at least ten million dollars (\$10,000,000); or**
- 24 **(B) is estimated by the state agency to be at least ten**
- 25 **million dollars (\$10,000,000); and**
- 26 **(4) under which the private contractor or private vendor will**

1 provide services that before the effective date of the contract
2 or agreement are provided directly by the employees of the
3 state agency.

4 (b) In addition to any other requirements that must be
5 satisfied, a state agency may not enter into a contract or an
6 agreement described in subsection (a) unless the following
7 requirements are satisfied:

8 (1) At least ninety (90) days before entering into the contract
9 or agreement, the state agency must conduct at least one (1)
10 public hearing on the contract or agreement. The state
11 agency must allow public comments and testimony at the
12 public hearing. The public hearing must be held in
13 compliance with IC 5-14-1.5.

14 (2) At least thirty (30) days before the state agency enters
15 into the contract or agreement, the state budget committee
16 must make a recommendation to the budget agency
17 concerning the contract or agreement.

18 Sec. 3. (a) In addition to any other requirements that must be
19 satisfied, a state agency may have the employees of the state agency
20 directly provide services that, before the services are provided by
21 the employees of the state agency, are provided by a private
22 contractor or private vendor under a contract or an agreement
23 described in section 2(a) of this chapter only if the following
24 requirements are satisfied:

25 (1) At least ninety (90) days before the employees of the state
26 agency begin directly providing the services, the state agency
27 must conduct at least one (1) public hearing concerning the
28 provision of the services by the employees of the state
29 agency. The state agency must allow public comments and
30 testimony at the public hearing. The public hearing must be
31 held in compliance with IC 5-14-1.5.

32 (2) At least thirty (30) days before the employees of the state
33 agency begin directly providing the services, the state budget
34 committee must make a recommendation to the budget
35 agency concerning the contract or agreement.

36 (b) A state agency is not required to comply with the
37 requirements of subsection (a) if the director or other
38 administrative head of the state agency declares that an emergency

39 exists that requires the employees of the state agency to directly

- 1 **provide the services that were provided by a private contractor or**
- 2 **private vendor.**

(Reference is to SB 83 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Tax and Fiscal Policy.

LONG, Chairperson